

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HARRISON COUNTY RURAL ELECTRIC COOPERATIVE AND DENISON MUNICIPAL UTILITIES	DOCKET NO. SPU-04-2
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued February 16, 2004)

On January 16, 2004, Harrison County Rural Electric Cooperative (Harrison) and Denison Municipal Utilities (Denison) filed a joint petition for modification of electric service area boundaries pursuant to Iowa Code § 476.25(2) and 199 IAC 20.3(9). A service area agreement between Harrison and Denison is attached to the petition. No objections to the petition were filed.

Harrison and Denison have agreed to an exchange of service territory and request that the Board modify the service territory boundaries between the two utilities in Crawford County, Iowa. The following service territory is to be transferred from Harrison to Denison:

Beginning at the Northeast Corner of Section 21, T-83N, R-39W in Denison Township, Crawford County, Iowa, and proceeding due south along said section line approximately 1,678.9 feet; thence due west approximately 3,750 feet to the centerline of U.S. Highway 30; thence northeasterly along said middle of U.S. Highway 30 a distance of approximately 2,681 feet (**Point D**); thence

southeasterly a distance of approximately 666.2 feet;
thence northeasterly a distance of 923.6 feet; thence due
east a distance of approximately 470.2 feet to the point of
beginning.

The following service territory is to be transferred from Denison to Harrison:

Beginning at **Point D** in the above description and
proceeding due west a distance of 1,460.7 feet; thence
due north a distance of approximately 1,226.4 feet;
thence due east a distance of approximately 2,971.8
feet which lies at the midpoint of U.S. Highway 30;
thence southwesterly along the centerline of U.S.
Highway 30 a distance of 2,002.4 feet to the point of
beginning.

In support of the petition, Harrison and Denison state that the areas to be transferred would be better served by the facilities of the other utility and eliminate future disputes as development occurs in both parcels. There are four customers within the current Harrison territory and no customers in the current Denison territory. The petition states that the four customers have been contacted and none of these customers has objected to the transfer. The facilities in place to serve the four customers will be sold to Denison at a nominal cost to avoid any unnecessary duplication of facilities.

Iowa Code § 476.25 (2003) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and

customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the Harrison and Denison joint petition for modification of service area boundaries. Harrison and Denison have alleged facts that establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provides adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by Harrison County Rural Electric Cooperative and Denison Municipal Utilities on January 16, 2004, is granted, subject to complaint or investigation.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 16th day of February, 2004.